

House File 607 - Enrolled

House File 607

AN ACT

RELATING TO REAL ESTATE LICENSEE LIABILITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 543B.62, Code 2023, is amended by adding the following new subsection:

NEW SUBSECTION. 4. *a.* A licensee providing brokerage services to a client shall not be in possession of the client's real estate. A licensee may enter upon the premises of a client's real estate to fulfill the licensee's obligations pursuant to section 543B.3, section 543B.6, or pursuant to a written agreement between the licensee and the client.

*b.* A licensee has no duty of care with regard to a client's real estate or with regard to a person entering, viewing, or traversing upon the premises of a client's real estate other than to fulfill the licensee's obligations pursuant to section 543B.3, section 543B.6, or pursuant to a written agreement between the licensee and the client.

*c.* A licensee providing brokerage services to a client shall not be liable for damage to the client's real estate or for any physical injury, accident, or harm to a person entering, viewing, or traversing upon the premises of a client's real

estate unless the licensee is the direct and proximate cause of the damage, injury, accident, or harm.

d. A client shall be responsible for the care, maintenance, repair, condition, and safety of the client's real estate that is being offered to sell, exchange, buy, or rent to a person.

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PAT GRASSLEY  
Speaker of the House

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AMY SINCLAIR  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 607, Ninetieth General Assembly.

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MEGHAN NELSON  
Chief Clerk of the House

Approved \_\_\_\_\_, 2023

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KIM REYNOLDS  
Governor